

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BONNIE THOMPSON,)
)
 Plaintiff,)
)
 v.) No. 4:14CV6 HEA
)
 VETERANS CANTEEN SERVICE,)
)
 Defendant.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court upon the application of Bonnie Thompson for leave to commence this action without payment of the required filing fee [Doc. #2]. *See* 28 U.S.C. § 1915(a). Upon consideration of the financial information provided with the application, the Court finds that plaintiff is financially unable to pay any portion of the filing fee. Therefore, plaintiff will be granted leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a).

28 U.S.C. § 1915(e)

Pursuant to 28 U.S.C. § 1915(e)(2)(B), the Court may dismiss a complaint filed in forma pauperis at any time if the action is frivolous, malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. An action is frivolous if "it lacks an arguable basis either

in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). In reviewing a pro se complaint under § 1915(e)(2)(B), the Court must give the complaint the benefit of a liberal construction. *Haines v. Kerner*, 404 U.S. 519, 520 (1972).

The Complaint

Plaintiff brings this action for employment discrimination against the Veterans Canteen Service. Plaintiff has submitted a self-drafted complaint; however, the complaint does not provide the Court with sufficient information to review her termination-of-employment claim under 28 U.S.C. § 1915(e)(2)(B). Moreover, the Court is unable to read the date on the EEOC's notice-of-right-to-sue letter [Doc. #1-2]. Taking into consideration the fact that plaintiff is proceeding pro se and in forma pauperis, the Court will grant plaintiff time to rectify these deficiencies, as set forth below.

In accordance with the foregoing,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis [Doc. #2] is **GRANTED**. *See* 28 U.S.C. § 1915(a).

IT IS FURTHER ORDERED that the Clerk shall not issue process or cause process to issue upon the complaint at this time.

IT IS FURTHER ORDERED that the Clerk shall send plaintiff the Court's form complaint titled "Complaint under Title VII of the Civil Rights Act of 1964,"

as well as a copy of this Order.

IT IS FURTHER ORDERED that, within thirty (30) days from the date of this Order, plaintiff shall submit to the Court a fully completed and signed “Complaint under Title VII of the Civil Rights Act of 1964,” which this Court will treat as plaintiff's first amended complaint. Plaintiff shall attach to the amended complaint a copy of her EEOC notice-of-right-to-sue letter, clearing showing the “date mailed” in the lower right hand corner of the letter.

IT IS FURTHER ORDERED that upon receipt of the amended complaint, this action will be submitted to the Court for review pursuant to 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice to her.

Dated this 16th day of January, 2014.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE